

**UNPUBLISHED**

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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**No. 01-8018**

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UNITED STATES OF AMERICA,

Plaintiff - Appellee,

versus

ROBERTO GIL CORONA,

Defendant - Appellant.

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Appeal from the United States District Court for the Eastern District of Virginia, at Alexandria. Albert V. Bryan, Jr., Senior District Judge. (CR-99-307, CA-01-1421)

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Submitted: March 20, 2002

Decided: February 3, 2003

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Before WIDENER, NIEMEYER, and MOTZ, Circuit Judges.

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Dismissed by unpublished per curiam opinion.

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Roberto Gil Corona, Appellant Pro Se. Rebeca Hidalgo Bellows, Assistant United States Attorney, Alexandria, Virginia, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Roberto Gil Corona seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. § 2255 (West Supp. 2001). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal based upon the district court's reasoning that Apprendi v. New Jersey, 530 U.S. 466 (2000), is not retroactively applicable on collateral review under United States v. Sanders, 247 F.3d 139 (4th Cir.), cert. denied, 122 S. Ct. 573 (2001). See United States v. Corona, Nos. CR-99-307; CA-01-1421 (D. Md. Sept. 21, 2001). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED